

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
ELKINS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**Criminal No. 2:02-CR-14-001
(BAILEY)**

JERRY C. RIGGLEMAN,

Defendant.

**ORDER DENYING MOTION FOR EARLY TERMINATION
OF SUPERVISED RELEASE**

The above-styled matter came before the Court for consideration of the defendant's Petition for Reduction of Term of Supervised Release & Embolishment (sic) of Time Left of Petitioner's Supervision [Doc. 121]. This Court, upon considering the motion, finds that the same should be **DENIED**. In support of the motion, the petitioner states that he has been "very successful in abiding by all laws of . . . and regulations of [his] release."

Pursuant to 18 U.S.C. § 3583(e)(1):

The Court may, after considering the factors set forth in § 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7) terminate a term of supervised release and discharge of the defendant released at any time after the expiration of one year of supervised release pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.

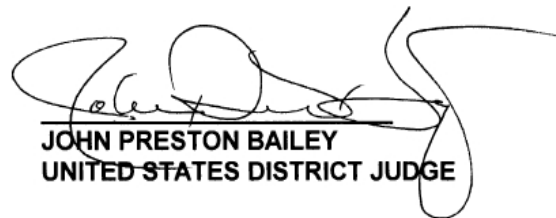
Upon consideration of the above-listed factors as well as the recommendation of the United States Probation Office, the Court finds that the termination of the defendant's supervised release is not warranted, and finds that the interests of justice would best be

served by continuing his supervision. This Court recognizes that since the filing of this motion, the defendant has been the subject of six petitions to modify the conditions of his supervision. (See [Docs. 127, 132, 137, 140, 144, & 145]). Accordingly, the defendant's motion for modification of Supervised Release [**Doc. 121**] is hereby **DENIED**.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to the *pro se* defendant, counsel of record and to the United States Probation Office.

DATED: September 7, 2010.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE